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**U.S. District Court**  
**Southern District of Florida (Miami)**  
**CIVIL DOCKET FOR CASE #: 1:24-cv-20112-KMM**  
**Internal Use Only**

HUGO BOSS TRADE MARK MANAGEMENT GMBH & CO.  
KG v. The Individuals, Corporations, Limited Liability Companies,  
Partnerships, And Unincorporated Associations Identified On  
Schedule A

Assigned to: Judge K. Michael Moore  
Referred to: Magistrate Judge Melissa Damian  
Cause: 15:1114 Trademark Infringement

Date Filed: 01/11/2024  
Date Terminated: 02/09/2024  
Jury Demand: None  
Nature of Suit: 840 Trademark  
Jurisdiction: Federal Question

**Plaintiff**

**HUGO BOSS TRADE MARK  
MANAGEMENT GMBH & CO. KG**

represented by **Alisha Moriceau**  
Boies Schiller Flexner  
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Suite 1200  
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8137354769  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Rossana Baeza**  
Boies Schiller Flexner LLP  
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Suite 2800  
Miami, FL 33131  
305-539-8400  
Email: rbaeza@bsflp.com  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**The Individuals, Corporations, Limited  
Liability Companies, Partnerships, And  
Unincorporated Associations Identified  
On Schedule A**

Date Filed	#	Docket Text
01/11/2024	<u>1</u>	COMPLAINT against The Individuals, Corporations, Limited Liability Companies, Partnerships, And Unincorporated Associations Identified On Schedule A. Filing fees \$ 405.00 receipt number AFLSDC-17207936, filed by HUGO BOSS TRADE MARK MANAGEMENT GMBH & CO. KG. (Attachments: # <u>1</u> Exhibit 1 - Trademarks, # <u>2</u> Civil Cover Sheet)(Moriceau, Alisha) (Entered: 01/11/2024)

01/11/2024	2	<p>Clerks Notice of Judge Assignment to Judge K. Michael Moore.</p> <p>Pursuant to 28 USC 636(c), the parties are hereby notified that the U.S. Magistrate Judge Melissa Damian is available to handle any or all proceedings in this case. If agreed, parties should complete and file the Consent form found on our website. It is not necessary to file a document indicating lack of consent. (nan) (Entered: 01/12/2024)</p>
01/12/2024	<u>3</u>	<p>FORM AO 120 SENT TO DIRECTOR OF U.S. PATENT AND TRADEMARK</p> <p>(Attachments: # <u>1</u> Complaint, # <u>2</u> Exhibits) (nan) (Entered: 01/12/2024)</p>
01/16/2024	4	<p>PAPERLESS PRETRIAL ORDER. This order has been entered upon the filing of the complaint. Plaintiff's counsel is hereby ORDERED to forward to all defendants, upon receipt of a responsive pleading, a copy of this Order. It is further ORDERED that S.D. Fla. L.R. 16.1 shall apply to this case and the parties shall hold a scheduling conference no later than twenty (20) days after the filing of the first responsive pleading by the last responding defendant, or within sixty (60) days after the filing of the complaint, whichever occurs first. However, if all defendants have not been served by the expiration of this deadline, Plaintiff shall move for an enlargement of time to hold the scheduling conference, not to exceed 90 days from the filing of the Complaint. Within ten (10) days of the scheduling conference, counsel shall file a joint scheduling report. Failure of counsel to file a joint scheduling report within the deadlines set forth above may result in dismissal, default, and the imposition of other sanctions including attorney's fees and costs. The parties should note that the time period for filing a joint scheduling report is not tolled by the filing of any other pleading, such as an amended complaint or Rule 12 motion. The scheduling conference may be held via telephone. At the conference, the parties shall comply with the following agenda that the Court adopts from S.D. Fla. L.R. 16.1: (1) Documents (S.D. Fla. L.R. 16.1.B.1 and 2) - The parties shall determine the procedure for exchanging a copy of, or a description by category and location of, all documents and other evidence that is reasonably available and that a party expects to offer or may offer if the need arises. Fed. R. Civ. P. 26(a)(1)(B). (a) Documents include computations of the nature and extent of any category of damages claimed by the disclosing party unless the computations are privileged or otherwise protected from disclosure. Fed. R. Civ. P. 26(a)(1)(C). (b) Documents include insurance agreements which may be at issue with the satisfaction of the judgment. Fed. R. Civ. P. 26(a)(1)(D). (2) List of Witnesses - The parties shall exchange the name, address and telephone number of each individual known to have knowledge of the facts supporting the material allegations of the pleading filed by the party. Fed. R. Civ. P. 26(a)(1)(A). The parties have a continuing obligation to disclose this information. (3) Discussions and Deadlines (S.D. Fla. L.R. 16.1.B.2) - The parties shall discuss the nature and basis of their claims and defenses and the possibilities for a prompt settlement or resolution of the case. Failure to comply with this Order or to exchange the information listed above may result in sanctions and/or the exclusion of documents or witnesses at the time of trial. S.D. Fla. L.R. 16.1.I.</p> <p><b>The parties are hereby on notice that this Court requires all filings to be formatted in 12 point Times New Roman font and double spaced, including any footnotes, with one inch margins on all sides. Failure to follow these formatting guidelines may result in the filing being stricken, any opposing filing being granted by default, and the imposition of other sanctions, including attorney's fees and costs. Multiple Plaintiffs or Defendants shall file joint motions with co-parties unless there are clear conflicts of position. If conflicts of position exist, parties shall explain the conflicts in their separate motions. Failure to comply with ANY of these procedures may result in the imposition of appropriate sanctions, including but not limited to, the striking of the motion or dismissal of this action. The parties shall seek extensions of time in a timely fashion.</b>"A motion for extension of time is not self-executing.... Yet, by filing these motions on or near the last</p>

		<p>day, and then sitting idle pending the Court's disposition of the motion, parties essentially grant their own motion. The Court will not condone this." <i>Compere v. Nusret Miami, LLC</i>, 2020 WL 2844888, at *2 (S.D. Fla. May 7, 2020) (internal citations omitted).</p> <p>Pursuant to Administrative Order 2016-70 of the Southern District of Florida and consistent with the Court of Appeals for the Eleventh Circuit's Local Rules and Internal Operating Procedures, within three (3) days of the conclusion of a trial or other proceeding, parties must file via CM/ECF electronic versions of documentary exhibits admitted into evidence, including photographs of non-documentary physical exhibits. The Parties are directed to comply with each of the requirements set forth in Administrative Order 2016-70 unless directed otherwise by the Court.</p> <p><u>Telephonic appearances are not permitted for any purpose. Upon reaching a settlement in this matter the parties are instructed to notify the Court by telephone and to file a Notice of Settlement within twenty-four (24) hours.</u></p> <p>Signed by Judge K. Michael Moore on 1/16/2024. (mh02) (Entered: 01/16/2024)</p>
01/16/2024	<u>5</u>	<p>PAPERLESS ORDER REFERRING PRETRIAL DISCOVERY MATTERS TO MAGISTRATE JUDGE MELISSA DAMIAN. PURSUANT to 28 U.S.C. § 636 and the Magistrate Judge Rules of the Local Rules of the Southern District of Florida, the above-captioned Cause is referred to United States Magistrate Judge Melissa Damian to take all necessary and proper action as required by law with respect to any and all pretrial discovery matters. Any motion affecting deadlines set by the Court's Scheduling Order is excluded from this referral, unless specifically referred by separate Order. It is FURTHER ORDERED that the parties shall comply with Magistrate Judge Damian's discovery procedures. Signed by Judge K. Michael Moore on 1/16/2024. (mh02) (Entered: 01/16/2024)</p>
01/16/2024	<u>6</u>	<p>NOTICE of Attorney Appearance by Rossana Baeza on behalf of HUGO BOSS TRADE MARK MANAGEMENT GMBH &amp; CO. KG. Attorney Rossana Baeza added to party HUGO BOSS TRADE MARK MANAGEMENT GMBH &amp; CO. KG(pty:pla). (Baeza, Rossana) (Entered: 01/16/2024)</p>
01/16/2024	<u>7</u>	<p>Plaintiff's Certificate of Other Affiliates/Corporate Disclosure Statement by HUGO BOSS TRADE MARK MANAGEMENT GMBH &amp; CO. KG identifying Corporate Parent Hugo Boss AG for HUGO BOSS TRADE MARK MANAGEMENT GMBH &amp; CO. KG (Moriceau, Alisha) (Entered: 01/16/2024)</p>
01/16/2024	<u>8</u>	<p>Plaintiff's MOTION for Leave to File Excess Pages <i>re Plaintiff's Ex Parte Motion for Entry of a Temporary Restraining Order</i> by HUGO BOSS TRADE MARK MANAGEMENT GMBH &amp; CO. KG. (Attachments: # <u>1</u> Text of Proposed Order)(Moriceau, Alisha) (Entered: 01/16/2024)</p>
01/16/2024		<p>SYSTEM ENTRY - Docket Entry 9 [motion] restricted/sealed until further notice. (2029754) (Entered: 01/16/2024)</p>
01/16/2024	<u>10</u>	<p>Plaintiff's MOTION to Seal <i>Schedule A</i> per Local Rule 5.4 by HUGO BOSS TRADE MARK MANAGEMENT GMBH &amp; CO. KG. (Attachments: # <u>1</u> Text of Proposed Order) (Moriceau, Alisha) (Entered: 01/16/2024)</p>
01/17/2024	<u>11</u>	<p>PAPERLESS ORDER. THIS CAUSE came before the Court upon Plaintiff's Motion to Exceed Page Limit. <u>8</u> . Therein, Plaintiff requests permission to file a memorandum of law in support of its Ex Parte Motion for Entry of a Temporary Restraining Order ("TRO") in excess of the page limitations set by the Court's Local Rules, Rule 7.1(c)(2). <i>Id.</i> at 1. UPON CONSIDERATION of the Motion, the pertinent portions of the record, and being otherwise fully advised in the premises, it is hereby ORDERED AND ADJUDGED that</p>

		the Motion <u>8</u> is GRANTED. Plaintiff's Ex Parte Application for Entry of Temporary Restraining Order, Including a Temporary Injunction, a Temporary Transfer of the Defendant Internet Stores, a Temporary Asset Restraint, and Expedited Discovery, which is 21 pages, will be deemed properly filed. Signed by Judge K. Michael Moore on 1/17/2024. (mh02) (Entered: 01/17/2024)
01/17/2024	<u>12</u>	ORDER granting <u>10</u> Motion to Seal. Signed by Judge K. Michael Moore on 1/17/2024. <i>See attached document for full details.</i> (mh02) (Entered: 01/17/2024)
01/17/2024		SYSTEM ENTRY - Docket Entry 13 [motion] restricted/sealed until further notice. (2029754) (Entered: 01/17/2024)
01/17/2024		SYSTEM ENTRY - Docket Entry 14 [misc] restricted/sealed until further notice. (2029754) (Entered: 01/17/2024)
01/24/2024		SYSTEM ENTRY - Docket Entry 15 [order] restricted/sealed until further notice. (kpe) (Entered: 01/24/2024)
01/24/2024		SYSTEM ENTRY - Docket Entry 16 [order] restricted/sealed until further notice. (kpe) (Entered: 01/24/2024)
02/02/2024	<u>17</u>	PAPERLESS ORDER Setting Status Conference. Please take notice that the Court will hold a Status Conference on 2/6/2024 at 1:00 PM in the Miami Division before Magistrate Judge Melissa Damian to address 13 Plaintiff's Ex Parte Application for Entry of Temporary Injunction, a Temporary Transfer of the Defendant Internet Stores, a Temporary Asset Restraint, and Expedited Discovery. The Conference will be conducted by Zoom, which information the parties will receive prior to the Conference. Signed by Magistrate Judge Melissa Damian on 2/2/2024. (cos) (Entered: 02/02/2024)
02/05/2024	<u>18</u>	NOTICE of Voluntary Dismissal of <i>Action</i> by HUGO BOSS TRADE MARK MANAGEMENT GMBH & CO. KG (Baeza, Rossana) (Entered: 02/05/2024)
02/05/2024	<u>19</u>	PAPERLESS Order Canceling Status Conference. In light of <u>18</u> Plaintiff's Notice of Voluntary Dismissal of Action advising the Court that the case is voluntarily dismissed without prejudice, the Status Conference previously set for 2/6/2024 at 1:00 PM before Magistrate Judge Melissa Damian is hereby canceled. Signed by Magistrate Judge Melissa Damian on 2/5/2024. (cos) (Entered: 02/05/2024)
02/09/2024	<u>20</u>	PAPERLESS ORDER. THIS CAUSE came before the Court upon Plaintiff's Notice of Voluntary Dismissal of Action. <u>18</u> . Rule 41(a)(1)(A) of the Federal Rules of Civil Procedure allows a plaintiff to voluntarily dismiss a claim prior to a defendant's filing of an answer or a motion for summary judgment, or after an answer has been filed where the dismissal bears the signatures of both parties. Fed. R. Civ. P. 41(a)(1)(A)(i). In this case, neither an answer nor a motion for summary judgment has been filed. Accordingly, UPON CONSIDERATION of the Notice, the pertinent portions of the record, and being otherwise fully advised in the premises, it is ORDERED AND ADJUDGED that the above-styled cause is hereby DISMISSED WITHOUT PREJUDICE. All pending motions, if any, are DENIED AS MOOT. Signed by Judge K. Michael Moore on 2/9/2024. (mh02) (Entered: 02/09/2024)